

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DELVON HAMMOND,
Plaintiff,

v.

R. BROCKENBOROUGH, et al.,
Defendants.

Case No. [19-cv-01300-KAW](#) (PR)

ORDER OF TRANSFER

Plaintiff Delvon Hammond, a state prisoner incarcerated at the Mule Creek State Prison in Ione, California, has filed a civil rights action under 42 U.S.C. § 1983 asserting constitutional violations against R. Brockenborough, J. Cantu and Warden Joe A. Lizarraga, employees of Mule Creek State Prison.

When jurisdiction is not founded solely on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same State, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. *See* 28 U.S.C. § 1391(b).

The acts complained of in this complaint occurred in Amador County, which is in the Eastern District of California. Furthermore, the three named defendants all reside in the Eastern District of California. Venue, therefore, properly lies in the Eastern District of California. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The

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Clerk of the Court shall terminate any pending motions and transfer the case forthwith.

IT IS SO ORDERED.

Dated: March 25, 2019



KANDIS A. WESTMORE
United States Magistrate Judge